

Entered - 04/21/04 - sb
CL04L0256 - DIANNE C. MITCHELL

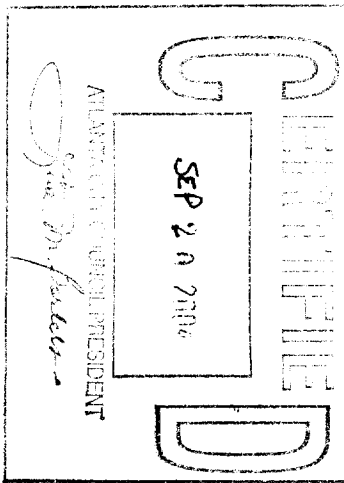
CLAIM OF: **GWENDOLYN DUMAS,**
through her attorney,
Sampson Oliver
1826 Glenhill Place
Decatur, Georgia 30032

04-R-1612

For damages alleged to have been sustained as a result of a
vehicular accident on March 22, 2004 at Northside Drive
and Whitehall Street.

THIS ADVERSED REPORT IS APPROVED

BY: *Jerry L. DeLoach*
JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 9/14/04

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

ADVERSED BY
CITY COUNCIL
SEP 20 2004

SEP 20 2004



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

September 28, 2004

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Sampson Oliver
Attorney at Law
1826 Glenhill Place
Decatur, GA 30032

04-R-1612

RE: Gwendolyn Dumas

Dear Attorney Oliver:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on September 20, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0256

Date: September 1, 2004

Claimant /Victim GWENDOLYN DUMAS
 BY: (Atty) Sampson Oliver
 Address: 1826 Glenhill Place, Decatur, Georgia 30032
 Subrogation: Claim for Property damage \$ 2,000.00 Bodily Injury \$
 Date of Notice: 04/16/04 Method: Written, proper X Improper
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
 Date of Occurrence 03/22/04 Place: Northside Drive and Whitehall Street
 Department Public Works Bureau: Solid Waste Services
 Employee involved Tarnecia M. Dickey Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way when attempted a left turn and collided with claimant's on-coming vehicle. However, the claimant has elected to receive payment for her damages through her insurance carrier.

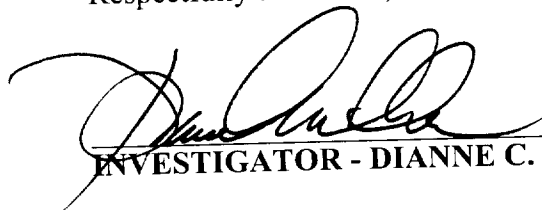
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
 Pictures Diagrams Reports: Police X Dept Report X Other
 Traffic citations issued: City Driver X Claimant Driver
 Citation disposition: City Driver Claimant Driver

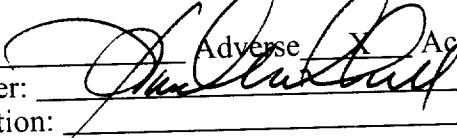
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
 Improper Notice More than Six Months Other Damages reasonable
 City not involved Offer rejected Compromise settlement
 Repair/replacement by Ins. Co. X Repair/replacement by City Forces
 Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


 INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
 Claims Manager:  Concur/date 9/1/04
 Committee Action: Council Action

RCS# 6041
9/20/04
2:47 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-16 EXCEPT:04-O-1442,
04-R-1581, 04-O-1470
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		9-20-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1500 2. 04-O-1501 3. 04-O-1502 4. 04-O-1503 5. 04-O-1504 6. 04-O-1505 7. 04-O-1631 8. 04-O-1508 9. 04-O-1513 10. 04-O-0165 11. 04-O-1253 12. 04-O-1255 13. 04-O-1256 14. 04-O-1259 15. 04-O-1431 16. 04-O-1442 17. 04-O-1479 18. 04-O-1480 19. 04-O-1551 20. 04-O-1552 21. 04-O-1554 22. 04-O-1625 23. 04-O-1627 24. 04-O-0770 25. 04-R-1566 26. 04-R-1568 27. 04-R-1569 28. 04-R-1630 29. 04-R-1635 30. 04-R-1650 31. 04-R-1571 32. 04-R-1632 33. 04-R-1590 34. 04-R-1616 35. 04-R-1580 36. 04-R-1581 37. 04-R-1583 38. 04-R-1584 39. 04-R-1585 40. 04-R-1574	41. 04-R-1575 42. 04-R-1576 43. 04-R-1578 44. 04-R-1579 45. 04-R-1633 46. 04-R-1653 47. 04-R-1593 48. 04-R-1594 49. 04-R-1595 50. 04-R-1596 51. 04-R-1597 52. 04-R-1598 53. 04-R-1599 54. 04-R-1600 55. 04-R-1601 56. 04-R-1602 57. 04-R-1603 58. 04-R-1604 59. 04-R-1605 60. 04-R-1606 61. 04-R-1607	62. 04-R-1608 63. 04-R-1609 64. 04-R-1610 65. 04-R-1611 66. 04-R-1612 67. 04-R-1614 68. 04-R-1615